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REMARKS

Specification. In the Non-Final Office Action, Examiner Nguyen-Ba objected to the specification for including a typographical error related to recitations of U.S. Patent No. 6,263,507 to Ahmad. The Applicant has amended the specification herein to correct the objected to typographical errors as well as additional typographical errors discovered by the Applicant. No new matter was introduced by the amendment of the specification herein. Withdrawal of the objection to the specification is therefore respectfully requested.

Claims. In the Non-Final Office Action, Examiner Nguyen-Ba rejected pending claims 1-23 on various grounds. The Applicant responds to each rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 C.F.R. § 1.112:

> **A.** Examiner Nguyen-Ba rejected claim 23 under 35 U.S.C. §112, ¶2 as being indefinite

The Applicant has amended claim 32 herein to change line 5 from reciting "the method" to reciting "the computer program". Withdrawal of the rejection of claim 23 under 35 U.S.C. §112, ¶2 as being indefinite is therefore respectfully requested.

> **B.** Examiner Nguyen-Ba rejected claims 18-21 under 35 U.S.C. §101 as being directed to non-statutory subject matter

Examiner Nguyen-Ba respectfully asserts that it is unclear what is the final result of independent claim 18, and thus independent claim 18 fails to provide a final result that is useful, tangible and concrete. The Applicant respectfully traverses this §101 rejection of claims 18-21, because the final result of independent claim 18 is the identification of a segment of a multimedia data corresponding to a time period of uniformity during which a numerical value of

an attribute of the element of the respective stream meets an attribute uniformity threshold. For example, a segment of multimedia data having a uniformity of speech or a uniformity of color luminance or a uniformity of a specific text can be identified and such final identification is useful, concrete and tangible to identifying the segments of multimedia data of interest as recited in the preamble of independent claims 1, 18 and 23. To further clarify this point, the Applicant has amended independent claims 1, 18 and 23 to recite "identifying a segment of the multimedia data of interest corresponding to an identified time period of uniformity".

Withdrawal of the rejection of claims 18-21 under 35 U.S.C. §101 as being directed to non-statutory subject matter is therefore respectfully requested.

C.   Examiner Nguyen-Ba rejected claim 23 under 35 U.S.C. §101 as being directed
        to non-statutory subject matter

The Applicant has amended claim 23 herein to recite "A computer program embodied on a computer readable medium". Withdrawal of the rejection of claim 23 under 35 U.S.C. §101 as being directed to non-statutory subject matter is therefore respectfully requested.

D.   Examiner Nguyen-Ba rejected claims 1-16 and 18-20 under 35 U.S.C. §102(b)
        as being anticipated by an article entitled "Automatic Parsing of News Video"
        to *Zhang* et al.

The Applicant has thoroughly considered Examiner Nguyen-Ba's remarks concerning the patentability of claims 1-16 and 18-20 over *Zhang*. The Applicant has also thoroughly read *Zhang*. To warrant this §102(b) rejection of claims 1-16 and 18-20, *Zhang* must show each and every limitation of independent claims 1, 18 and 23 in as complete detail as in contained independent claims 1, 18 and 23. See, MPEP §2131. The Applicant respectfully traverses this §102(b) rejection of independent claims 1, 18 and 23, because, among other things, *Zhang* fails to show and teaches away from "identifying a time period of uniformity, if any, during which the

numerical value of the attribute of the element of the respective stream meets an attribute uniformity threshold" and "identifying a segment of the multimedia data of interest corresponding to an identified time period of uniformity" in as complete detail as recited in independent claims 1, 18 and 23.

As to the traversal, FIG. 1 of *Zhang* shows a news video having a starting shot, anchorperson shots, news shots, commercial break shots, weather forecast shots, and an ending shot whereby *Zhang* teaches a two-step process of temporal segmentation in section 2.1 of *Zhang* and shot classification in section 2.2. of *Zhang*. For purposes of obtaining the temporal segmentation of the news video into individual shots, *Zhang* teaches identifying a border differential between two adjacent frames that exceeds a differential threshold in accordance with equation (1) or (2). See, *Zhang* at section 2.1. For purposes of classifying each segmented shot, *Zhang* teaches a dissimilarity or similarity measurement of a given shot with a defined anchorperson shot model within the context of a temporal structure model. See, *Zhang* at section 2.2.

However, for the temporal segmentation of shots, *Zhang* is not concerned with identifying a time period of uniformity of a segmented shot based on a numerical value of an attribute of an element within the segmented shot meeting an attribute uniformity threshold as required by the aforementioned limitation of independent claims 1, 18 and 23. For example, *Zhang*'s border identification of shots will identify a border between the first anchorperson shot and the first news shot. However, the border identification does not include any identification of any attribute uniformity within the first anchorperson shot or within the first news shot by which the numerical value of an attribute of an element meets an attribute uniformity threshold as required by the aforementioned limitation of independent claims 1, 18 and 23. Thus, assuming the attribute is speech for audio, *Zhang* will fail to identify the uniformity of speech over a particular set or sets of frames within the first anchorperson shot, if any, and over a particular set or sets of frames within the first news shot, if any. Further, assuming the attribute is luminance for color, *Zhang* will fail to identify the uniformity of color luminance over a particular set or

sets of frames within the first anchorperson shot, if any, and over a particular set or sets of frames within the first news shot, if any.

Moreover, for the shot classification of segmented shots, *Zhang* actually teaches away from identifying a segment of the news media corresponding to an identified time period of uniformity as required by independent claims 1, 18 and 22. Specifically, *Zhang* teaches that such an identification process can be ineffective and time consuming. See, *Zhang* at subsection 2.2.2, paragraph 2.

Withdrawal of the rejection of independent claims 1, 18 and 23 under 35 U.S.C. §102(b) as being anticipated by *Zhang* is therefore respectfully requested.

Claims 2-16 depend from independent claim 1. Therefore, dependent claims 2-16 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 2-16 are allowable *Zhang* for at least the same reason as set forth herein with respect to independent claim 1 being allowable *Zhang*. Withdrawal of the rejection of dependent claims 2-16 under 35 U.S.C. §102(b) as being anticipated by *Zhang* is therefore respectfully requested.

Claims 19-22 depend from independent claim 18. Therefore, dependent claims 19-22 include all of the elements and limitations of independent claim 18. It is therefore respectfully submitted by the Applicant that dependent claims 19-22 are allowable *Zhang* for at least the same reason as set forth herein with respect to independent claim 18 being allowable *Zhang*. Withdrawal of the rejection of dependent claims 19-22 under 35 U.S.C. §102(b) as being anticipated by *Zhang* is therefore respectfully requested.

E.   Examiner Nguyen-Ba rejected claim 17 under 35 U.S.C. §103(a) as being unpatentable over an article entitled "Automatic Parsing of News Video" to *Zhang* et al.

Claim 17 depends from independent claim 1. Therefore, dependent claim 17 includes all of the elements and limitations of independent claim 1. It is therefore respectfully

submitted by the Applicant that dependent claim 17 is allowable *Zhang* for at least the same reason as set forth herein with respect to independent claim 1 being allowable *Zhang*. Withdrawal of the rejection of dependent claim 17 under 35 U.S.C. §103(a) as being unpatentable over *Zhang* is therefore respectfully requested.

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SUMMARY

The Applicant respectfully submits that claims 1-23 fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested. If any points remain in issue that may best be resolved through a personal or telephonic interview, Examiner Nguyen-Ba is respectfully requested to contact the undersigned at the telephone number listed below.

Dated: **April 3, 2007**

Respectfully submitted,
Radu S. Jasinchi

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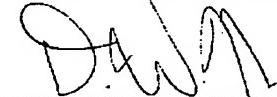
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